

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**MIAMI DIVISION**

J.B. HARRIS,

Plaintiff,

v.

CASE NO. 23-cv-23803-BB

VIRAGE CAPITAL MANAGEMENT LP and  
TITAN ASSET MANAGEMENT, LLC,

Defendants.

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**PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANT  
VIRAGE CAPITAL MANAGEMENT LP'S MOTION TO DISMISS**

COMES NOW Plaintiff J.B. Harris, *pro se*, ("Harris") pursuant to So. Dist. Fla. L.R. 7.1(c)(1), hereby files this, his Response in Opposition to Virage Capital Management LP's ("Virage") Motion to Dismiss, and support thereof states:

Virage's attorneys continue to play coy with the court by instructing Virage's managing director, Ed Ondarza, to sign a Declaration telling the court absolutely nothing more than it already knows about Virage's ghost member LLC, which is exactly zero. By playing this shell game with the court, Virage simply refuses to give up the name or identity of its phantom member LLC, yet it fails to cite one case allowing it to remain anonymous while traveling under cover of the managing director's declaration. *But see Ranger*

*Env't Servs. LLC v. Foehl*, No. 1:23-00297-KD-M, 2023 U.S. Dist. LEXIS 167179 (S.D. Ala. Sep. 20, 2023)(identifiable limited partners must disclose their citizenship).

Why? Harris's best guess -- and it is only speculation -- is that the shadow LLC is none other than the LifeWallet Law Firm LLC, Virage's largest borrower, which is owned and operated by Coral Gables lawyer, John Ruiz, dubbed "The Billionaire Lawyer." (**Exhibit "A"**). After borrowing and losing close to \$500 million from Virage and other investors, LifeWallet is currently under a federal grand jury investigation for allegedly running a Ponzi scheme, an inquiry Virage is trying to avoid like the plague. (**Exhibit "B"**).

Significantly, if LifeWallet is indeed Virage's dirty little secret, the court either should choke this information out of Virage, in which case the evidence could lead to a charge that Virage is partnering with a law firm, which would constitute a felony under Florida law, or make Virage give up the ghost by denying its motion to dismiss.<sup>1</sup> In either case, the court should put an end to Virage's charade, which is about as close to defrauding a

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<sup>1</sup> Not surprisingly, Virage and LifeWallet Law Firm, connected by a secure elevator, share office space in Coral Gables. Virage is located at 2701 S. Le Jeune Road, 11<sup>th</sup> Floor, Coral Gables, FL 33134, while LifeWallet Law Firm is located at 2701 S, Le Jeune Road, 10<sup>th</sup> Floor, Coral Gables, FL 33134. <https://www.viragecm.com/>

federal court as anything Harris has ever witnessed in his 40 year career, and sanction its lawyers for perpetuating it under 28 U.S.C. § 1927.

In closing, the court should not create precedent where none exists, by allowing an anonymous member LLC to travel under cover of its managing director's declaration. Further, the court should deny Virage's Motion to Dismiss, thereby putting an end to this sham. Most importantly, the court should enter a permanent injunction prohibiting Virage from interfering with the distribution of settlement funds to Harris's clients. While Harris prays this will be the outcome for his clients, should the court so rule, it will certainly be the greatest demonstration of justice Harris will have ever witnessed from any court before which he has appeared in his 40 years of service to the Bar.

Respectfully submitted this 30<sup>th</sup> day of October 2023.

/s/ J.B. Harris, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served on counsel for all parties via the court's CM/ECF this 30<sup>th</sup> day of October 2023.

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